

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

DAVID STEBBINS,)
Plaintiff,)
v.)
RELIABLE HEAT & AIR, LLC, et al.,)
And)
RANDAL RICHARDSON, et al.)
Defendants.)
Case No. 10-3305-CV-S-RED

SUPPLEMENT TO REPLY SUGGESTION

TO MOTION FOR PARTIAL SUMMARY JUDGMENT

Comes now, *pro se* Plaintiff David Stebbins, who respectfully submits the following supplement to my reply suggestion for my motion for partial summary judgment.

Defendants deny the essential elements of my negligent infliction of emotional distress claim for lack of knowledge. However, at no point in the Defendants' answer did they ever deny that fact to begin with!

If the Defendants object to this claim, they may point out where in their answer they actually denied my negligent infliction of emotional distress claim.

Because the Defendants did not deny the negligent infliction of emotional distress claim, I do not even have to prove it, or get them to actively admit to it. It is already admitted, from the very beginning. See Fed. R. Civ. P. Rule 8(b)(6).

Truth be told, the only reason I did not move for partial judgment on the pleadings was because I needed to establish the discrimination claim before the actions the Defendants committed became intolerable in polite society.

Wherefore, premises considered, I respectfully pray that you summarily judge all facts of the negligent infliction of emotional distress claim, save only for the Defendants' actions being intolerable in polite society, in my favor. It is so requested, on this 19th day of August, 2011.

/s/ David Stebbins

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CERTIFICATE OF SERVICE

I, *pro se* Plaintiff David Stebbins, hereby certify that a true and correct copy of my supplement to my reply suggestion to my motion for partial summary judgment was served on the Defendants by allowing them to view the Notice of Docket Activity, as permitted by Local Rule 5.1, on the 19th day of August, 2011.

/s/ David Stebbins

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